



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

ELP
Docket No. 7872-99
10 March 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 March 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 12 February 1990 for four years as an SN (E-3). The record reflects that you served without incident until 31 October 1991 when you were medically transferred from Bahrain for psychiatric evaluation after six to seven episodes of shouting and anger in response to confrontations on board ship. You were diagnosed with an intermittent explosive disorder, and an unspecified personality disorder with paranoid and anti-social features. Although you were not considered suicidal or homicidal, you did pose a potential risk for harm to yourself and others if retained. Immediate processing for separation was recommended.

On 6 January 1992 you were notified that discharge was being considered by reason of convenience of the government due to personality disorder. You were advised of your procedural rights and waived those rights. You did not object to the discharge. Thereafter, the discharge authority directed separation by reason of personality disorder with the type of discharge warranted by

the service record. You received an honorable discharge on 10 January 1992 and were assigned an RE-4 reenlistment code.

Regulations authorize the assignment of an RE-4 reenlistment code to individuals who are discharged by reason of personality disorder. The Board noted your contention that you have changed since discharge, with the help of your family and medication prescribed by your doctor. You claim that you have not been on any medication since February 1999. However, this fact does not provide a valid basis for changing a correctly assigned reenlistment code. Further, you provide no evidence that the diagnosis of personality disorder by the Navy was erroneous or invalid. Since you posed a potential risk for harm to yourself or others at the time, the Board concluded that the assigned reenlistment code was proper and no change is warranted. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director